

IN THE DISTRICT COURT OF THE UNITED STATES
FOR THE DISTRICT OF SOUTH CAROLINA
FLORENCE DIVISION

| | |
|---------------------------|-----------------------------|
| UNITED STATES OF AMERICA, |) C/A NO.: 4:14-cv-4250-BHH |
| |) |
| Plaintiff, |) |
| |) |
| vs. |) |
| |) |
| \$35,000 IN UNITED STATES |) |
| CURRENCY, |) |
| |) |
| Defendant <i>in Rem</i> . |) |

CONSENT ORDER OF FORFEITURE

This in rem forfeiture action was filed on October 31, 2014, concerning \$35,000 in United States currency (“Defendant Currency”) seized on or about April 10, 2014, by the Dillon Police Department and subsequently adopted by the Drug Enforcement Administration.

The Government served all the known potential claimants, including Giovanni Arias-Zapata, Neftali Roman Rodriguez, Francis Gabriel Gomez Medina and Angela Sanchez-Pajon, and her attorney, Michael P. Romano, by providing them with actual notice, as set forth in the Notice of Judicial Forfeiture filed with the court on November 18, 2014 (Docket Entry 6). As set forth in the Declaration of Publication filed with the court on January 22, 2015 (Docket Entry 12), and in accordance with Supplemental Rule G(4), Fed. R. Civ. P., notice of this forfeiture action was published on an official internet government forfeiture site, “www.forfeiture.gov”, for at least 30 consecutive days, beginning on November 1, 2014, and ending on November 30, 2014. Any unknown

person claiming an interest in the Defendant Currency was required to file a claim within sixty days after the first date of such publication (by November 1, 2014).

Angela Sanchez-Pajon was the only person to file a Claim in this case contesting forfeiture. All time limits for the filing of other claims have now expired, with no requests for extensions being made or granted.

The United States and Angela Sanchez-Pajon have reached the following agreement. First, \$15,000 of the Defendant Currency is to be returned to Angela Sanchez-Pajon by the United States issuing an electronic funds transfer payment in that amount to “Michael P. Romano, Attorney at Law, P.C.”¹ Second, the balance of the Defendant Currency, to wit, \$20,000, is to be found and held forfeited, condemned, quit-claimed and abandoned to the United States, and shall be disposed of by the United States pursuant to law as a forfeited asset.

The parties agree that each side shall bear its own costs.

NOW THEREFORE, the Court being fully advised, and based on the Stipulation for Compromise Settlement, which is incorporated herein by reference, it is

¹Federal law, codified at 31 U.S.C. § 3716 (the “Debt Collection Improvement Act of 1996”), requires the Department of the Treasury and other disbursing officials to offset Federal payments to collect delinquent tax and non-tax debts owed to the United States, and to individual states. If an offset is made to the payment to be made pursuant to this Order of the Court, Claimants will receive a notification from the Department of the Treasury at the last address provided by Claimants to the governmental agency or entity to whom the offset payment is made. The terms of the settlement specifically do not affect the tax obligations fines, penalties, or any other monetary obligations the Claimants owe to the United States or an individual state, and in fact, are intended to satisfy such a tax obligations. Therefore, the exact sum delivered to Counsel, on behalf of his clients, may well be a lesser sum, if the Treasury Offset Program reduces the amount in satisfaction of a debt obligation.

ORDERED, ADJUDGED, AND DECREED, that:

1. All persons and entities other than Angela Sanchez-Pajon claiming any right, title or interest in or to the Defendant Currency are hereby held in default; and default judgment is entered against them.

2. Subject to reduction by any offset through the Treasury Offset Program, the United States Marshals Service shall return \$15,000 of the Defendant Currency to Angela Sanchez-Pajon by electronic funds transfer payment from the United States to “Michael P. Romano, Attorney at Law, P.C.”

3. Pursuant to 21 U.S.C. § 881(a)(6), the balance of the Defendant Currency, to wit, \$20,000, is hereby forfeited, condemned, quit-claimed and abandoned to the United States of America.

4. Clear title in and to the aforesaid \$20,000 of the Defendant Currency is hereby vested in the United States of America, and no other right, title or interest exists therein. All other claims in or to said \$20,000 of the Defendant Currency are hereby forever foreclosed and barred.

5. The \$20,000 of the Defendant Currency forfeited herein shall be disposed of by the United States in accordance with law.

SO ORDERED this 12th day of May, 2015.

s/Bruce Howe Hendricks
BRUCE HOWE HENDRICKS
UNITED STATES DISTRICT JUDGE

Greenville, South Carolina